

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

UNITED STATES OF AMERICA,

Plaintiff,

and

SIERRA CLUB,

Intervenor-Plaintiff,

v.

DTE ENERGY COMPANY AND
DETROIT EDISON COMPANY,

Defendants.

Civil Action No.
2:10-cv-13101-BAF-RSW

Judge Bernard A. Friedman

Magistrate Judge R. Steven
Whalen

JOINT MOTION AND BRIEF TO SET BRIEFING SCHEDULE

On May 22, 2020, Plaintiff-Intervenor Sierra Club filed a motion to enter an agreement (“Separate Agreement”) between Sierra Club and Defendants DTE Energy Company and Detroit Edison Company (collectively “DTE”). *See* Doc. 267. As noted in the Parties’ Joint Status Report on Negotiations (Doc. 265), the United States anticipates filing a response to Sierra Club’s motion. By this motion, all Parties propose deadlines for the United States to file any response to Sierra Club’s motion and for Sierra Club to file any reply brief in support of it.

The Parties jointly propose the following deadlines for submissions in response to Doc. 265:

- United States to file any response by June 26, 2020; and
- Sierra Club to file any reply by July 20, 2020

The Parties represent that this enlargement of the allowable time set forth in the Local Rules is necessary to fully brief the matter before the Court, including the necessary time for client review of the filings.

BRIEF IN SUPPORT OF MOTION

For their Brief in Support of their Joint Motion to Set Briefing Schedule, the Parties rely upon the reasons and authority set forth in the Motion.

Respectfully submitted, this the 27th day of May 2020.

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/s/ Thomas A. Benson

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